

Message Text

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15

ACTION EB-07

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FOR EB/CBA/BP

E.O. 11652: N/A

TAGS: EIND, KS

SUBJECT: TRADEMARKS: VISIT OF HOWARD I. FORMAN

1. BEGIN SUMMARY: HOWARD I. FORMAN COMPLETED HIS REPRESENTATIONS ON BEHALF OF CERTAIN U.S. TRADEMAKR OWNERS AND TRADE ASSOCIATIONS. HE RECEIVED ASSURANCES FROM ASST. MINISTER OF AGRICULTURE AND FISHERIES YUN KUN HWAN THAT OFFICIAL MAF POLICY IN THE NAMING OF AGRICULTURAL CHEMICALS WOULD BE CHANGED TO AVOID INFRINGING TRADEMARKS. END SUMMARY.

2. DURING HIS 6-DAY VISIT, DR. FORMAN MET WITH LEADING ATTORNEYS, AGRICULTURAL CHEMICAL INDUSTRY REPRESENTATIVES, AND WITH CHANG CHAE SUN, SECTION CHIEF, PLANT PROTECTION DIV., MINISTRY OF AGRICULTURE AND FISHERIES

MUN KI SANG, DIRECTOR, KOREAN PATENT OFFICE

KIM TAI DONG, PRESIDENT, KOREA-U.S. ECONOMIC COUNCIL

KANG HEUNG GOO, CHIEF, INVESTMENT PROMOTION DIV.,
ECONOMIC PLANNING BOARD

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YUN KUN HWAN, ASST. MINISTER FOR LAND AND

AGRICULTURAL PRODUCTION, MINISTRY
OF AGRICULTURE AND FISHERIES (MAF)

HE WAS WELL RECEIVED BY ALL OFFICIALS, REFLECTING THE IMPORTANCE OF HIS MISSION AND THE EXTENSIVE PUBLICITY GENERATED BY U.S.I.S. (A PRE-ARRIVAL PRESS RELEASE AND TWO PRESS CONFERENCES).

3. THE INFRINGEMENT OF U.S. AND OTHER TRADEMARKS BY THEIR SPECIFICATION OFFICIAL GENERIC TERMS BY THE MAF, IT BECAME OBVIOUS, WAS DUE TO A FAILURE BY MAF PERSONNEL TO APPRECIATE THE SIGNIFICANCE OF INTELLECTUAL PROPERTY AS A COMMERCIAL ASSET, A LACK OF UNDERSTANDING OF THE LEGAL AND ECONOMIC IMPLICATIONS OF TRADEMARK INFRINGEMENT, AND A CERTAIN STUBBORNNESS AND INERTIA THAT CAUSED THE MAF TO REJECT EARLIER COMPLAINTS BY THE KOREAN PATENT OFFICE AND BY INDUSTRY REPRESENTATIVES. DR. FORMAN'S VISIT APPARENTLY OVERCAME THESE OBSTACLES AND HE RECEIVED ASSURANCES THAT THE INFRINGING NAMES WOULD BE PHASED OUT AS SOON AS POSSIBLE AND REPLACED WITH COMMON NAMES ACCEPTABLE TO THE INDUSTRY.
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Margaret P. Grafeld
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